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In Home Services Program
GATO Building
1100 Simonton Street
Room 1-196
Key West, FL 33040
(305) 292-4583
(305) 292-4481 FAX

Grievance Procedures

1. Monroe County In-Home Services has written policy concerning grievance procedures which states that client(s) will be informed in writing of the adverse action to be taken at least ten (10) calendar days prior to the action being taken. (Prior notice is not applicable if the action has to be taken immediately to protect the health or safety of the individual; however, notice must be given as soon as thereafter as practicable.)
2. Monroe County In-Home Services does not reduce or terminate services during the ten days period during which client (s) are being notified.
3. The written notice of the adverse action must specify:

A statement regarding the action to be taken the reason for the intended action that the individual has a right to grievance review if requested in writing and delivered within ten (10) calendar days of the postmark on the notice; the assistance with writing, submitting and delivering the request is available to help the client.

MedWaver clients have a right to request a fair hearing from DCAF (in addition to or as an alternative to these proceedings) which may be done within 90 days of the decision affecting service delivery.

The client has a right for further appeal after the grievance review.

The client has the right to seek redress through the courts if appropriate; that if a review is requested, a statement explaining that current benefits will continue until a final decision regarding the adverse action is reached is made clear.

The individual may represent himself; use legal counsel, a relative or other qualified representation during the review proceedings.

3. All documentation relating to this process including the final decision is confidential and is kept in the client's file.
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5. Provider acknowledges receipt of the review request in writing within seven calendar days of its receipt which specifies:

The time and place of the review;

The names of one or more impartial reviewers who have not been involved in the decision;

The individual's own case file is available for examination at a reasonable time before the review; (Monroe County In-Home Services makes available a copy to the individual at no cost if requested.)

The opportunity exists to informally present argument, evidence or witnesses, without undue interference, at a reasonable time before or during the review;

A contact person for arrangement of any accommodations required under the ADA.

Availability of assistance, if needed, to attend the review; that services will continue until all appeals are exhausted.

6. Grievance reviews are conducted at a reasonable time, date and place and are conducted by one or more impartial reviewers who have not been directly involved in the action in question.

7. Within seven (7) calendar days after the review, reviewer(s) provide written notification to the requester which specifies:

The decision, including detailed reasons.

The effect on current benefits if favorable or information regarding continuation of services until all appeals are exhausted.

The requester's right to appeal an adverse decision to the Alliance for Aging, Inc. by written request within seven (7) calendar days (except in decisions involving the professional judgment of a legal assistance provider).

That assistance with writing, submitting and delivering the request to the appropriate agency is available.

That the individual may represent himself or herself, use legal counsel, a relative, a friend or qualified representative during the review proceedings.

In the case of legal assistance service appeals, that the individual has the right to file a grievance with the Florida Bar for complaints related to the actual legal representation provided.

8. Monroe County In-Home Services grievance procedures state that when the client appeals an adverse decision to the AAA (Alliance for Aging, Inc.), the AAA (Alliance for Aging, Inc.) will acknowledge in writing receipt of request seven days after receipt of the appeal which includes:

The time and place of the appeal.

The names of one or more impartial reviewers who have not been involved in the decision at issue.

The opportunity to examine the individual's own file at a reasonable time before the appeal; (A copy may be provided at no cost to the individual.)

The opportunity to informally present argument, evidence or witnesses, without undue interference, at a reasonable time before or during the appeal; availability of assistance, if needed to attend the appeal.

9. Monroe County In-Home Services policy states that the AAA (Alliance for Aging, Inc.) will provide written notification to the requester within seven days after hearing the grievance appeal which will contain:

The decision, including detailed reasons.

The effect on current benefits if favorable or information regarding continuation of services until all appeals is exhausted.

The requester's right to appeal if applicable. (Except for Medicaid Wavier actions wherein the MW client may appeal to DCAF, the decision of the AAA shall be the final decision.)

Availability of assistance in requesting a fair hearing as well as in obtaining accommodations required under the ADA if requesting a fair hearing for Medicaid Waiver.

10. MW Providers are informing clients of an adverse action by either using the model letter attached to POLICY #: 020303-1 - I SWCBS or by a similar letter which contains at a minimum, all the elements of the model letter.

Dated This _____ Day of _____, 20____

Signature: _____

Witness: _____